

Amendment under 37 CFR §1.111
Application No. 10/594,275
Attorney Docket No. 063030

AMENDMENTS TO THE DRAWINGS

The attached replacement sheets of drawings include changes to Figs. 6 and 8. The original label "PRESSURE MEASURING DIVICE" has been corrected into "PRESSURE MEASURING DEVICE." No new matter has been added.

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REMARKS

(1) Claims 1-10 are pending in this application, of which claims 1-4 and 7-10 have been amended. No new claims have been added.

(2) Claims 2-4 and 10 were rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

The Examiner states that claims 2-4 are claiming one fluid that has both a large and a small sound velocity (claim 2), specific gravity (claim 3) and Prandtl number (claim 4), and requests the Applicants to clearly define that there are two fluids being claimed. The Examiner also states that claim 10 is claiming a “working fluid resulting from mixing” which is both lighter and heavier than air, and requests the Applicants to clearly specify that a fluid lighter than air is being mixed with a fluid heavier than air.

In response, claims 2-4 and 10 have been amended to clarify the invention. Reconsideration of the rejection is respectfully requested.

In Figs. 6 and 8, a typographical error pointed out by the Examiner has been corrected.

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(3) Claims 1-6 were rejected under 35 U.S.C. §103(a) as being unpatentable over Watanabe et al. (U.S. Patent No. 7,404,296) in view of Garrett (U.S. Patent No. 5,953,921). Page 3 of the outstanding Office Action.

The inventors of U.S. Patent No. 7,404,296 (Watanabe et al.) are the same as those of the present application.

The present application is a national stage application of PCT/JP2005/5221 filed on March 23, 2005. On the other hand, U.S. Patent No. 7,404,296 (Watanabe et al.) filed it in the U.S. on September 23, 2005. Thus, U.S. Patent No. 7,404,296 (Watanabe et al.) is not a reference by “another” under 35 U.S.C. §102(e). Thus, U.S. Patent No. 7,404,296 (Watanabe et al.) should be removed from prior art. Reconsideration of the rejection is respectfully requested.


(4) Claims 7-9 were objected to as being dependent upon a rejected base claim, but found allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Page 4 of the outstanding Office Action.

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(5) Claim 10 was found allowable if rewritten to overcome the rejection(s) under 35 U.S.C. §112, second paragraph, and to include all of the limitations of the base claim and any intervening claims. Page 4 of the outstanding Office Action.

(6) In view of above, Applicants submit that the claims, as herein amended, are in condition for allowance. Applicants request such action at an early date. If the Examiner believes that this application is not now in condition for allowance, the Examiner is requested to contact Applicants' undersigned representative at the telephone number indicated below to arrange for an interview to expedite the disposition of this case. If this paper is not timely filed, Applicants respectfully petition for an appropriate extension of time. The fees for such an extension or any other fees that may be due with respect to this paper may be charged to Deposit Account No. 50-2866.

Respectfully submitted,
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SY/mt

Attachment: Replacement Sheets of Drawings (Figs. 6 and 8)